

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 70 OF 1990

Rafi Ahammad Vali Ahammad Khan Appellant

Versus

The State of Maharashtra Respondent

Shri R.D. Suryawanshi for the Appellant
 Shri. A.S. Shitole, APP for State/Respondent.

CORAM : **ABHAY S. OKA, J.**

DATE OF JUDGMENT : **28TH AUGUST, 2006**

P.C.

. For the reasons stated in the Judgment already dictated, following order is passed.

O R D E R

(i) The impugned Judgment and Order dated 20th December 1989 passed by the learned Fourth Additional Sessions Judge, Thane in Sessions Case No. 596 of 1987 is quashed and set aside.

(ii) The Appellant-accused is acquitted of the offences punishable under Section 21 and 25 of The Narcotic Drugs and Psychotropic Substances Act, 1985.

(iii) If the fine amount is paid by the Appellant to the Respondent-State, the Appellant will be entitled to the refund of the said amount.

(iv) Direction regarding Muddemal Property issued by the learned Sessions Judge is confirmed.

(v) Bail Bond of the Appellant-accused stands cancelled.

(vi) Appeal is accordingly allowed.

(ABHAY S. OKA, J.)